

# CRB SUPPLEMENTAL COMPLAINT EVALUATION FORM

Case Number: 09-008

Complainant Name: Yvonne Edwards

## CASE SUMMARY

Date of Incident: 10/17/09  
Date of Complaint filed with IA: 10/21/09  
Date of Complaint filed with CRB: 10/20/09

Officers: Officer Thaddeus Calvert  
Officer Michael Chaustit  
Officer Richard Thomas\*

Allegation: Discourtesy  
Excessive Force

---

The CRB reviewed this complaint on June 7, 2010 and directed Attorney Robert Cintron to attempt to locate and communicate with two (2) additional witnesses that Internal Affairs was unable to get voluntary statements from due to the witnesses being uncooperative. Specifically, the neighbor Pamela Bailey and Shimika Clark. Attorney Cintron reported to the Board at its June 28, 2010 meeting that both witnesses remain uncooperative towards his efforts. Attorney Cintron stated he would continue his efforts but he recommended that this file be reviewed by the CRB at its July 26, 2010 meeting without compelling these additional witnesses to attend.

The CRB should note that the 3<sup>rd</sup> party witness, Tangela Edwards, gave a sworn statement to IA on April 29, 2010. This same witness voluntarily appeared and addressed the CRB at its meeting on June 7, 2010 and made material conflicting statements as to where she was and what she actually personally viewed relative to the incident in question. The Board members should weigh this witnesses' testimony accordingly.

This file consists of the following additional written/visual materials:

1. Audio recording of CRB meeting of June 6, 2010 in which Mrs. Yvonne Edwards and Ms. Tangela Edwards address the CRB;
2. Notice Letters to involved parties;

**THE FACTUAL ALLEGATIONS OF THIS/THESE COMPLAINT(S) HAS/HAVE NOT BEEN INVESTIGATED BY EITHER THE INTERNAL AFFAIRS DIVISION OF THE KEY WEST POLICE DEPARTMENTMENT, NOR THE CITIZENS REVIEW BOARD (CRB). THIS/THESE COMPLAINT(S) IS/ARE BEFORE THE BOARD FOR ADMINISTRATIVE PROCESSING ONLY UNTIL SUCH TIME AS EITHER INTERNAL AFFAIRS OR THE CRB INVESTIGATES THE ALLEGATIONS OF THE COMPLAINT. ANY READER OF THIS/THESE COMPLAINT(S) SHOULD NOT PRESUME THAT THE OFFICER COMPLAINED AGAINST HAS ENGAGED IN ANY WRONGDOING.**

# 1

(Audio of CRB Meeting for 6/7/10 available at CRB office for inspection)

2



**CITY OF KEY WEST**

Citizen Review Board

P.O. Box 1946

Key West, FL 33041

Ph: (305) 809-3887

Fax: (305) 293-9827

June 8, 2010

Mrs. Yvone Edwards  
116-B Geraldine Street  
Key West, FL 33040

**VIA REGULAR US MAIL**

Complaint File: **CRB No. 09-008**  
**KWPD-IA File Number: PS 10-002**

Dear Mrs. Edwards:

Thank you for attending the Citizen Review Board (CRB) meeting last night. Per the Board's request, could you please forward me the phone number and/or address of Shamika Clark and Pamala Bailey. The CRB members and CRB attorney, Robert Cintron, would like to approach these individuals. You can call my phone service and leave the information there, or simply write a letter back. I am in urgent need of this information so that we can move your file forward in the process.

Your complaint will be re-reviewed, as supplemented by further witnesses' statements if possible, at the CRB meeting scheduled for July 26, 2010 at 6:00 p.m. at Old City Hall, 510 Green Street, Key West Florida 33040. Please also bring any witnesses that you have listed to this meeting so that they can address the CRB directly.

Finally, at last night's CRB meeting you stated you have not seen the "warrant". I did deliver the enclosed arrest warrant and arrest affidavit to your house previously. I assume you were referencing the "search warrant". Per the Internal Affairs report, this was a search incident to an arrest and under hot pursuit conditions, so thus the police did not need a search warrant to search the bathroom area where Shamika was arrested.

The Board appreciates the time you have taken to lodge this complaint. If you change your mailing address, please send in written notice to this office so our files can reflect the same. You are welcome to call or write us with any questions you may have.

Respectfully,

  
Stephen C. Muffler, Esquire  
Executive Director  
Attorney-at-Law

Encl.  
cc: File

## Citizens Review Board

---

**From:** Citizens Review Board  
**Sent:** Tuesday, June 08, 2010 12:38 PM  
**To:** Thaddeus Calvert; Michael Chaustlt; Brian Leahy; Richard Thomas  
**Cc:** Citizens Review Board; Donald Lee; David T. Smith; Randall Smith  
**Subject:** CRB Complaint #09-008/KWPD PS#10-002/Edwards

Good Day Detectives/Officers:

The CRB reviewed the above referenced complaint at its June 7, 2010 meeting in which you are named as one of the respondents. The CRB deferred action and rescheduled this matter for its July 26, 2010 meeting to allow for additional time to interview/secure other material witnesses statements by the CRB staff. I will notice you of that meeting to keep you informed of this file. Please feel free to contact me directly should you have any questions. Thank you for your continued service to the City of Key West.

Stephen C. Muffler, Esquire  
Executive Director  
Attorney at Law

---

City of Key West  
Citizen Review Board  
P.O. Box 1946  
Key West, Florida 33041  
tel(305) 809-3887  
fax(305) 293-9827  
crb@keywestcity.com  
[www.keywestcity.com](http://www.keywestcity.com)

**Note To Recipients:** Under Florida law, this communication and any response or reply to it, will be subject to public records requests/disclosure laws, unless an applicable privilege or rule of evidence applies.

**Note to Citizen Review Board Members:** In accordance with the Florida Sunshine Law, please do not "reply to all" if there are other board members receiving this e-mail concerning Board business. Please only reply to non-board members when responding.



**CITY OF KEY WEST**  
**Citizen Review Board**  
**P.O. Box 1946**  
**Key West, FL 33041**  
**Ph: (305) 809-3887**  
**Fax: (305) 293-9827**

July 6, 2010

**VIA REGULAR US MAIL**

Mrs. Yvone Edwards  
116-B Geraldine Street  
Key West, FL 33040

Complaint File: **CRB No. 09-008**  
**KWPD-1A File Number: PS 10-002**

Dear Mrs. Edwards:

Enclosed please find a copy of the Amended Agenda for the CRB meeting on Monday, July 26, 2010. The CRB has scheduled to review your file/complaint on that day. Please attend this public meeting which will commence at 6:00 p.m. at Old City Hall, 510 Green Street, Key West Florida 33040. Please also bring any witnesses that you have listed to this meeting so that they can address the CRB directly.

The Board appreciates the time you have taken to lodge this complaint. If you change your mailing address, please send in written notice to this office so our files can reflect the same.

You are welcome to call or write us with any questions you may have.

Respectfully,

A handwritten signature in black ink, appearing to read "Stephen C. Muffler", is written over a horizontal line.

Stephen C. Muffler, Esquire  
Executive Director  
Attorney-at-Law  
Encl.  
cc: File

# **AGENDA**

**Citizen Review Board Meeting  
Old City Hall, 510 Greene Street  
Monday, July 26, 2010  
6:00 p.m.**

1. CALL THE MEETING TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES:
  - a. June 28, 2010
5. TRACKING CHART REVIEW
6. CONTINUED OR NEW BUSINESS
  - a. **File Review: CRB #-09-008 (Edwards)**
  - b. **Modifications to CRB Rules & Procedures**
8. COUNSEL'S REPORT
9. CHAIRPERSON'S REPORT
10. BOARD MEMBERS REPORT/GENERAL COMMENTS
11. EXECUTIVE DIRECTOR'S REPORT
  - a. Commission Appointed Member Search Update
  - b. Budget FY 10/11 Update
12. PSO/IA COMMENTS/FOLLOW-UP
13. PUBLIC INPUT
14. MEDIA AND PRESS QUESTIONS
15. ADJOURNMENT



Citizen Review Board  
City of Key West Florida  
Executive Director's Memo

TO: Lt. David Smith  
FROM: Stephen Muffler, Esquire  
DATE: 7/06/10  
RE: CRB Agenda for 7/26/10

---

Attached is the proposed CRB Agenda for the July 26, 2010 meeting and the various respondent officers' notices. **Would you please forward these notices to the individual officers so that they are aware of this upcoming meeting?** It would be desirable for a representative from your office attend this meeting to help address the Board's specific questions on any files or procedures. Please note that all of the Board materials are now available for yourself or the respondent officers to view on the CRB website approximately five (5) days before the meeting.

**PLEASE ARRANGE FOR THE AVAILABILITY OF THE SUBJECT RESPONDENT OFFICERS' PRIOR DISCIPLINARY HISTORY AND COMMENDATIONS (COPIES OF COMMENDATION LETTERS AND LIST OF DISCIPLINARY ACTIONS WITH SUMMARIES PER THE KWPD & IA WORKING AGREEMENT) AT THIS CRB MEETING. THANKS.**

# **AGENDA**

Citizen Review Board Meeting  
Old City Hall, 510 Greene Street  
**Monday, July 26, 2010**  
**6:00 p.m.**

1. CALL THE MEETING TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES:
  - a. June 28, 2010
5. TRACKING CHART REVIEW
6. CONTINUED OR NEW BUSINESS
  - a. **File Review: CRB #09-008 (Edwards)**
  - b. **Modifications to CRB Rules & Procedures**
8. COUNSEL'S REPORT
9. CHAIRPERSON'S REPORT
10. BOARD MEMBERS REPORT/GENERAL COMMENTS
11. EXECUTIVE DIRECTOR'S REPORT
  - a. Commission Appointed Member Search Update
  - b. Budget FY 10/11 Update
12. PSO/IA COMMENTS/FOLLOW-UP
13. PUBLIC INPUT
14. MEDIA AND PRESS QUESTIONS
15. ADJOURNMENT

## Citizens Review Board

---

**From:** Citizens Review Board  
**Sent:** Tuesday, July 06, 2010 1:39 PM  
**To:** Richard Thomas  
**Cc:** Citizens Review Board; David T. Smith; Randall Smith  
**Subject:** CRB Notice Attached

**Attachments:** Thomas Notice2.PDF



Thomas

Notice2.PDF (59 KB)

Good day Det. Thomas

Attached is your CRB notice for its upcoming meeting to be held on July 26, 2010. Please feel free to contact me directly should you have any questions or concerns. Thank you for your attention to this matter.

Stephen C. Muffler, Esquire  
Executive Director  
Attorney at Law

---

City of Key West  
Citizen Review Board  
P.O. Box 1946  
Key West, Florida 33041  
tel(305) 809-3887  
fax(305) 293-9827  
crb@keywestcity.com  
[www.keywestcity.com](http://www.keywestcity.com)

**Note To Recipients:** Under Florida law, this communication and any response or reply to it, will be subject to public records requests/disclosure laws, unless an applicable privilege or rule of evidence applies.

**Note to Citizen Review Board Members:** In accordance with the Florida Sunshine Law, please do not "reply to all" if there are other board members receiving this e-mail concerning Board business. Please only reply to non-board members when responding.



**Citizen Review Board  
City of Key West Florida  
Executive Director's Memo**

**TO: Detective Richard Thomas**  
**FROM: Stephen Muffler, Esquire**  
**DATE: 07/06/10**  
**RE: CRB Complaint #09-008/Edwards**

---

Attached please find a copy of the proposed Agenda for the CRB meeting to be held at 6:00 p.m. at the Old City Hall on July 26, 2010. One or more of the Board Members and/or the Executive Director as placed the above referenced file on the Agenda for discussion. You are a respondent in this file and are invited to attend this meeting to help clarify the matter to the Board members. You are under no obligation to attend nor speak to the Board, but your input on the matter would be carefully weighed and would assist the Board in reaching a fair and just recommendation. You may attend personally, via a union representative or through legal counsel. Materials on this file may be viewable via the CRB website approximately five (5) days prior to the meeting.

# **AGENDA**

**Citizen Review Board Meeting  
Old City Hall, 510 Greene Street  
Monday, July 26, 2010  
6:00 p.m.**

1. CALL THE MEETING TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES:
  - a. June 28, 2010
5. TRACKING CHART REVIEW
6. CONTINUED OR NEW BUSINESS
  - a. **File Review: CRB #09-008 (Edwards)**
  - b. **Modifications to CRB Rules & Procedures**
8. COUNSEL'S REPORT
9. CHAIRPERSON'S REPORT
10. BOARD MEMBERS REPORT/GENERAL COMMENTS
11. EXECUTIVE DIRECTOR'S REPORT
  - a. Commission Appointed Member Search Update
  - b. Budget FY 10/11 Update
12. PSO/IA COMMENTS/FOLLOW-UP
13. PUBLIC INPUT
14. MEDIA AND PRESS QUESTIONS
15. ADJOURNMENT

## Citizens Review Board

---

**From:** Citizens Review Board  
**Sent:** Tuesday, July 06, 2010 1:38 PM  
**To:** Michael Chaustit  
**Cc:** Citizens Review Board; David T. Smith; Randall Smith  
**Subject:** CRB Notice Attached

**Attachments:** Chaustit Notice2.PDF



Chaustit

Notice2.PDF (58 KB)

Good day Det. Chaustit

Attached is your CRB notice for its upcoming meeting to be held on July 26, 2010. Please feel free to contact me directly should you have any questions or concerns. Thank you for your attention to this matter.

Stephen C. Muffler, Esquire  
Executive Director  
Attorney at Law

---

City of Key West  
Citizen Review Board  
P.O. Box 1946  
Key West, Florida 33041  
tel(305) 809-3887  
fax(305) 293-9827  
[crb@keywestcity.com](mailto:crb@keywestcity.com)  
[www.keywestcity.com](http://www.keywestcity.com)

**Note To Recipients:** Under Florida law, this communication and any response or reply to it, will be subject to public records requests/disclosure laws, unless an applicable privilege or rule of evidence applies.

**Note to Citizen Review Board Members:** In accordance with the Florida Sunshine Law, please do not "reply to all" if there are other board members receiving this e-mail concerning Board business. Please only reply to non-board members when responding.



**Citizen Review Board  
City of Key West Florida  
Executive Director's Memo**

**TO: Detective Michael Chaustit**

**FROM: Stephen Muffler, Esquire**

**DATE: 07/06/10**

**RE: CRB Complaint #09-008/Edwards**

---

Attached please find a copy of the proposed Agenda for the CRB meeting to be held at 6:00 p.m. at the Old City Hall on July 26, 2010. One or more of the Board Members and/or the Executive Director as placed the above referenced file on the Agenda for discussion. You are a respondent in this file and are invited to attend this meeting to help clarify the matter to the Board members. You are under no obligation to attend nor speak to the Board, but your input on the matter would be carefully weighed and would assist the Board in reaching a fair and just recommendation. You may attend personally, via a union representative or through legal counsel. Materials on this file may be viewable via the CRB website approximately five (5) days prior to the meeting.

# **AGENDA**

**Citizen Review Board Meeting  
Old City Hall, 510 Greene Street  
Monday, July 26, 2010  
6:00 p.m.**

1. CALL THE MEETING TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES:
  - a. June 28, 2010
5. TRACKING CHART REVIEW
6. CONTINUED OR NEW BUSINESS
  - a. **File Review: CRB #-09-008 (Edwards)**
  - b. **Modifications to CRB Rules & Procedures**
8. COUNSEL'S REPORT
9. CHAIRPERSON'S REPORT
10. BOARD MEMBERS REPORT/GENERAL COMMENTS
11. EXECUTIVE DIRECTOR'S REPORT
  - a. Commission Appointed Member Search Update
  - b. Budget FY 10/11 Update
12. PSO/IA COMMENTS/FOLLOW-UP
13. PUBLIC INPUT
14. MEDIA AND PRESS QUESTIONS
15. ADJOURNMENT

## Citizens Review Board

---

**From:** Citizens Review Board  
**Sent:** Tuesday, July 06, 2010 1:41 PM  
**To:** Thaddeus Calvert  
**Cc:** Citizens Review Board; David T. Smith; Randall Smith  
**Subject:** CRB Notice Attached

**Attachments:** Calvert Notice2.PDF



Calvert

Notice2.PDF (58 KB)

Good day Officer Calvert

Attached is your CRB notice for its upcoming meeting to be held on July 26, 2010. Please feel free to contact me directly should you have any questions or concerns. Thank you for your attention to this matter.

Stephen C. Muffler, Esquire  
Executive Director  
Attorney at Law

---

City of Key West  
Citizen Review Board  
P.O. Box 1946  
Key West, Florida 33041  
tel(305) 809-3887  
fax(305) 293-9827  
crb@keywestcity.com  
[www.keywestcity.com](http://www.keywestcity.com)

**Note To Recipients:** Under Florida law, this communication and any response or reply to it, will be subject to public records requests/disclosure laws, unless an applicable privilege or rule of evidence applies.

**Note to Citizen Review Board Members:** In accordance with the Florida Sunshine Law, please do not "reply to all" if there are other board members receiving this e-mail concerning Board business. Please only reply to non-board members when responding.



**Citizen Review Board  
City of Key West Florida  
Executive Director's Memo**

**TO:           Officer Thad Calvert**

**FROM:       Stephen Muffler, Esquire**

**DATE:       07/06/10**

**RE:           CRB Complaint #09-008/Edwards**

---

Attached please find a copy of the proposed Agenda for the CRB meeting to be held at 6:00 p.m. at the Old City Hall on July 26, 2010. One or more of the Board Members and/or the Executive Director as placed the above referenced file on the Agenda for discussion. You are a respondent in this file and are invited to attend this meeting to help clarify the matter to the Board members. You are under no obligation to attend nor speak to the Board, but your input on the matter would be carefully weighed and would assist the Board in reaching a fair and just recommendation. You may attend personally, via a union representative or through legal counsel. Materials on this file may be viewable via the CRB website approximately five (5) days prior to the meeting.

# **AGENDA**

**Citizen Review Board Meeting  
Old City Hall, 510 Greene Street  
Monday, July 26, 2010  
6:00 p.m.**

1. CALL THE MEETING TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES:
  - a. June 28, 2010
5. TRACKING CHART REVIEW
6. CONTINUED OR NEW BUSINESS
  - a. **File Review: CRB #-09-008 (Edwards)**
  - b. **Modifications to CRB Rules & Procedures**
8. COUNSEL'S REPORT
9. CHAIRPERSON'S REPORT
10. BOARD MEMBERS REPORT/GENERAL COMMENTS
11. EXECUTIVE DIRECTOR'S REPORT
  - a. Commission Appointed Member Search Update
  - b. Budget FY 10/11 Update
12. PSO/IA COMMENTS/FOLLOW-UP
13. PUBLIC INPUT
14. MEDIA AND PRESS QUESTIONS
15. ADJOURNMENT

## Citizens Review Board

---

**From:** Citizens Review Board  
**Sent:** Tuesday, July 06, 2010 1:37 PM  
**To:** Brian Leahy  
**Cc:** Citizens Review Board; David T. Smith; Randall Smith  
**Subject:** CRB Notice Attached

**Attachments:** Leahy Notice2.PDF

Good day Det. Leahy:

Attached is your CRB notice for its upcoming meeting to be held on July 26, 2010. Please feel free to contact me directly should you have any questions or concerns. Thank you for your attention to this matter.

Stephen C. Muffler, Esquire  
Executive Director



Leahy Notice2.PDF  
(59 KB)

Attorney at Law

---

City of Key West  
Citizen Review Board  
P.O. Box 1946  
Key West, Florida 33041  
tel(305) 809-3887  
fax(305) 293-9827  
crb@keywestcity.com  
[www.keywestcity.com](http://www.keywestcity.com)

**Note To Recipients:** Under Florida law, this communication and any response or reply to it, will be subject to public records requests/disclosure laws, unless an applicable privilege or rule of evidence applies.

**Note to Citizen Review Board Members:** In accordance with the Florida Sunshine Law, please do not "reply to all" if there are other board members receiving this e-mail concerning Board business. Please only reply to non-board members when responding.



**Citizen Review Board  
City of Key West Florida  
Executive Director's Memo**

**TO: Detective Brian Leahy**  
**FROM: Stephen Muffler, Esquire**  
**DATE: 07/06/10**  
**RE: CRB Complaint #09-008/Edwards**

---

Attached please find a copy of the proposed Agenda for the CRB meeting to be held at 6:00 p.m. at the Old City Hall on July 26, 2010. One or more of the Board Members and/or the Executive Director as placed the above referenced file on the Agenda for discussion. You are a respondent in this file and are invited to attend this meeting to help clarify the matter to the Board members. You are under no obligation to attend nor speak to the Board, but your input on the matter would be carefully weighed and would assist the Board in reaching a fair and just recommendation. You may attend personally, via a union representative or through legal counsel. Materials on this file may be viewable via the CRB website approximately five (5) days prior to the meeting.

# **AGENDA**

**Citizen Review Board Meeting  
Old City Hall, 510 Greene Street  
Monday, July 26, 2010  
6:00 p.m.**

1. CALL THE MEETING TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES:
  - a. June 28, 2010
5. TRACKING CHART REVIEW
6. CONTINUED OR NEW BUSINESS
  - a. **File Review: CRB #09-008 (Edwards)**
  - b. **Modifications to CRB Rules & Procedures**
8. COUNSEL'S REPORT
9. CHAIRPERSON'S REPORT
10. BOARD MEMBERS REPORT/GENERAL COMMENTS
11. EXECUTIVE DIRECTOR'S REPORT
  - a. Commission Appointed Member Search Update
  - b. Budget FY 10/11 Update
12. PSO/IA COMMENTS/FOLLOW-UP
13. PUBLIC INPUT
14. MEDIA AND PRESS QUESTIONS
15. ADJOURNMENT